

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/807,420
Filing Date: March 23, 2004
Applicant: Craig A. Barrile-Joesphson, et al.
Group Art Unit: 3734
Examiner: Michael G. Mendoza
Title: BAR-LINK DRIVE SYSTEM FOR A MICROKERATOME
Attorney Docket: 15608-000004/US

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SECOND REQUEST FOR CORRECTION OF INVENTORSHIP

Sir:

On August 9, 2007, a Petition Under 37 CFR 1.48(a) for Correction of Inventorship, was filed with the USPTO, requesting the addition of an inventor to the above-referenced patent application. On May 22, 2009, a Request for Reconsideration was filed, and in that submission, we requested confirmation that this matter had been completed.

On July 23, 2009, a Notice of Allowance was received, and to date, we have not received an answer to our Petition.

Therefore, we are submitting another copy of the Petition along with fully executed documentation. We are requesting the grant of the petition prior to paying the Issue Fee.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 446-7646.

Respectfully submitted,



Michael L. Smith
Reg. No. 35,685

DATE: August 21, 2009

HARNES, DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Ste. 400
St. Louis, MO 63105
(314) 726-7500

MLS:cay

AUG 09 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Craig A. Barrie-Josephson, et al.

Examiner: Michael G. Mendoza

Serial No.: 10/807,420

Group No.: 3734

Filed: March 23, 2004

Docket No: P03137

Title: BAR-LINK DRIVE SYSTEM FOR A
MICROKERATOME

PETITION UNDER 37 CFR 1.48(a) FOR CORRECTION OF INVENTORSHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Honorable Sir:

Applicants respectfully request in this Petition to add to the inventors originally named in the transmittal letter and signed declaration filed with the above-identified application.

Please add the following previously unnamed person as a joint inventor of the subject application.

Christopher Wagner
602 Salt Road
Rochester, NY 14580

Enclosed herewith is a statement that the error in inventorship occurred without any deceptive intentions by Christopher Wagner.

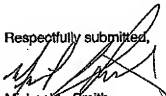
Also enclosed herewith is written consent by the assignee, Bausch & Lomb Surgical, Inc., to add Christopher Wagner as a joint inventor of the subject application.

Further included is a signed declaration as required by 37 CFR 1.63 and an executed assignment by Christopher Wagner to Bausch & Lomb Incorporated.

Please charge the required petition fee as set forth in 37 CFR 1.17(i) to deposit account 08-0750. Duplicate copies of this petition are submitted herewith for billing purposes.

Should you have any questions regarding this communication, please feel free to contact me at 314-446-7646.

Respectfully submitted,


Michael L. Smith
Reg. No.: 35,685Correspondence Address:
Bausch & Lomb, Inc.
One Bausch & Lomb Place
Rochester, New York 14604-2701

AUG 09 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Craig A. Barnile-Joesphson, et al.

Serial No.: 10/807,420

Filed: March 23, 2004

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Examiner: Michael G. Mendoza

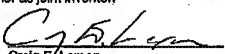
Group No.: 3734

Docket No: P03137

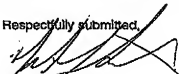
WRITTEN CONSENT BY ASSIGNEE FOR CORRECTION OF INVENTORSHIP
UNDER 37 CFR 1.48(a)Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Honorable Sir:

The assignee of the above-identified application provides the following consent.

Assignee, Bausch & Lomb Surgical, Inc., hereby provides its consent for
correction of inventorship under 37 CFR 1.48(a) of the above-identified application
through the addition of Christopher Wagner as joint inventor,Dated: 9 August 2007
Craig E. Larson
Vice President and Assistant General CounselShould you have any questions regarding this communication, please feel free to
contact me at 314-446-7846.

Respectfully submitted,


Michael L. Smith
Reg. No.: 35,685Correspondence Address:
Michael L. Smith
Bausch & Lomb, Inc.
One Bausch & Lomb Place
Rochester, New York 14604-2701

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In re Application of:
Craig A. Barnile-Joesphson, et al.

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Examiner: Michael G. Mendoza

Group No.: 3734

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STATEMENT BY INVENTOR PURSUANT TO 37 CFR 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Honorable Sir:

Applicants state the following:

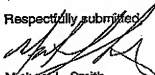
The inventorship error was made without deceptive intentions.

Christopher Wagner


Date: 7/10/07

Should you have any questions regarding this communication, please feel free to
contact me at 314-446-7646.

Respectfully submitted


Michael L. Smith
Reg. No.: 35,685

Date:


Correspondence Address:
Bausch & Lomb, Inc.
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Rochester, New York 14604-2701
(314) 446-7646